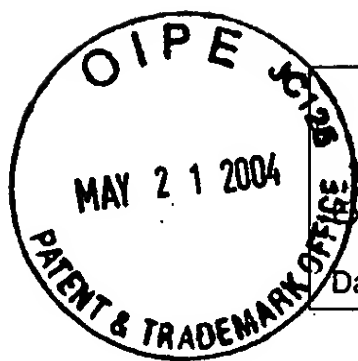


05-24-04

IFW AF
1636

**U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION**

Express Mail Label No.: EV 327169670 USDate of Deposit: May 21, 2004

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Nabel et al.Appln. No.: 09/708,276Filed: November 7, 2000For: Method For Treating Proliferative Disease
With p27 And Fusions ThereofExaminer: David Guzo,
Ph.D.Art Unit: 1636Attorney Docket No: 8642/94

Mail Stop After Final
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment and Request for Reconsideration under 37 CFR § 1.116
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$9= | | | x \$18= | |
| Indep. | | Minus | | | x 43= | | | x \$86= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$145= | | | +\$290= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

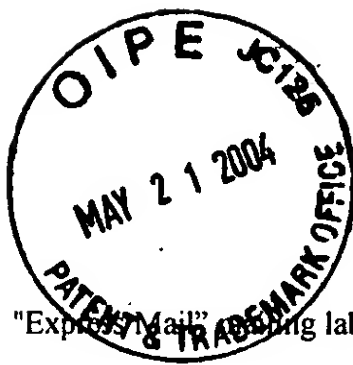
- ☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

May 26 2004

John Murray
John Murray, Ph.D. (Reg. No. 44,251)



"Express Mail" Tracking label number EV 327169670 US

Date of Deposit: MAY 21, 2004

Case No. 8642/94

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary J. Nabel &
Elizabeth G. Nabel

Serial No: 09/708,276

Examiner: David Guzo, Ph.D.

Filed: November 7, 2000

Group Art Unit: 1636

For: METHOD FOR TREATING
PROLIFERATIVE DISEASE WITH
p27 AND FUSIONS THEREOF

AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.116

MAIL STOP AFTER FINAL
COMMISSIONER FOR PATENTS
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

In response to the February 24, 2004 Final Office Action, Applicants request entry of the following amendments and remarks to put the claims in condition to be allowed or to place them in better condition for appeal: